FREEDOM CONVOY/BEARHUG 2.0

PEACEFUL SLOWDOWN

CONVOY 2022

FEBRUARY 4-6, 2022

SITUATION

Recent intelligence gathered has identified information of a potential "Slow Roll" in support of ongoing Freedom Convoy to end Covid-19 vaccination mandates and health restrictions. Media accounts mention that a slow-roll procession will take place for several hours each day, commencing February 4 – 6, 2022 along Huron Church Road. There is further mention of the ongoing protests/blockade situation at Coutts, Alberta Port of Entry with intention to mirror this type of activity in Windsor at the Ambassador Bridge Port of Entry. Potential for access to this Port of Entry to be impacted by this protest. There is no information received on the number of protestors expected.

MISSION

The WPS will keep the peace, enforce legislation while maintaining the safe flow of traffic respecting individuals Charter Rights to peaceful assembly and freedom of speech. Public and officer safety is paramount.

Our Mission is to achieve maximum coordination and cooperation to effectively implement measures to ensure:

1. Public/Officer safety
2. Keeping the peace
3. Protection of life
4. Protection of property
5. Protection and safe movement of the participants, pedestrians, and spectators
6. Conduct traffic management
7. Maintain public peace and order

EXECUTION

Windsor Police Service is familiar with Freedom Convoy 2022 and Operation Bear Hug 2.0 having been involved in several "Slow roll" peaceful protests in 2022. The difference between previous protests is the consideration to blockade the Ambassador Bridge for all pedestrian and Commercial Motor Vehicles.

The most recent information gathered and route is as follows:

- On Friday February 4, 2022 at 1000 hrs, involved drivers/protesters are starting at Comber and driving West on the 401 Hwy to Huron Church Road. They will drive all the way up to the customs area and then turn right onto Patricia Road (driving past CBSA) and stop at Wyandotte Street.
- They will turn left onto Wyandotte Street and then will turn left onto Huron Church Road back down to the 401 Hwy.
- They will proceed eastbound to Exit 10 (near Essex Road 9), utilize the traffic circle and head back onto the 401 Hwy westbound.
- They will be utilizing this route for 3 days then consider Ambassador Bridge blockade on February 7, 2022.
- Ontario Provincial Police will be responsible for roadways from Highway 401 to the Herb Gray Parkway to Labelle Road and Ojibway Parkway back to the Herb Gray. OPP

will deploy signs if a backup occurs to assist with exits off the 401. OPP will utilize a Quick Response Team to assist if required.

- Officers are to enforce applicable legislation as they deem necessary in the circumstances and blocking of the Ambassador Bridge will be dealt with through decision-making of the Duty Inspector.
- ADT Trucking Company is known to be involved in confrontations at the border.
- EMS, WFRS, CACC, Transit Windsor have all been notified.

- The Windsor Police Service respects the rights of Canadians to exercise their freedom of expression and peaceful assembly.
- All members of the general public, road users, residents, and businesses also have the right to a safe environment.
- The WPS recognizes the need to balance individual rights and freedoms with the need to maintain public peace and order. WPS will focus on maintaining open communication with everyone involved in any public demonstrations and use a reasoned and tempered approach and the proper use of police discretion to guide our police personnel's responses.
- We remain committed to working with our partners, including governments at the municipal, provincial and federal levels, to ensure these rallies do not threaten the safety of citizens. We encourage everyone to be patient and respectful.

Traffic Delays

- Protest activities may interrupt the normal flow of traffic. The WPS will endeavor to minimize the impact on the traveling public and to ensure order and public safety.
- Our police service's objective in policing any road closures/blockades is to restore the orderly flow of traffic in the safest manner possible. Information on specific delays will endeavor to keep the public informed via our police social media channels, city traffic channels and media outlets.
- Members of the public are encouraged to check for road closure information and monitor local media for information and alternate routes.
- The WPS thanks everyone for their patience in dealing with traffic delays.

Enforcement/Threats/Violence/Illegal Activity

- The WPS urges everyone involved not to endanger members of the public or first responders (including police personnel), jeopardize public peace or participate in purposefully illegal events.
- The WPS will maintain the peace and public/traffic safety and investigate criminal acts in accordance with its legislated responsibilities and in the best interests of all involved.
- Only the level of intervention necessary will be used to ensure the safety of the public and to maintain peace, order, and public security. The use of force is always a last resort.
- The proper use of police discretion is a valid, appropriate approach to de-escalating situations. The proper exercise of police discretion should not be confused with lack of enforcement. Police personnel may wait for a lower-risk opportunity to arrest offenders rather than inflame a situation.
- The WPS will respond to unlawful activities or actions in an appropriate and professional manner.

- We are reviewing security measures based on risk assessments and will be ready to respond and adapt to any potential dangerous situation.
- We will not condone any behavior or action that puts someone's health or safety in jeopardy, including any threats or acts of violence.
- See attached Summary of Offences (CC, CDSA, HTA etc.)

Patrol Response

Additional officers from Patrol, including a Sgt will be assigned to monitor the event. Officers deployed will change based on the day, availability and as required.

POP Unit

POP officers will be deployed to the area in full uniform to assist as required.

Traffic Enforcement Unit (Sgt Evans, PC Ferrari, PC Wemyss**)**

TEU officers will be deployed to the area. On ground, Sgt Evans will be the point of contact with OPP S/Sgt. Brad Sakalo and will provide updates to those deployed.

Emergency Service Unit

There are 9 ESU officers working Saturday February 4, 2022 1700hrs – 0300hrs.
ESU Sgt. MacDougall Cell 226-345-4069
jmacdougall@windsorpolice.ca

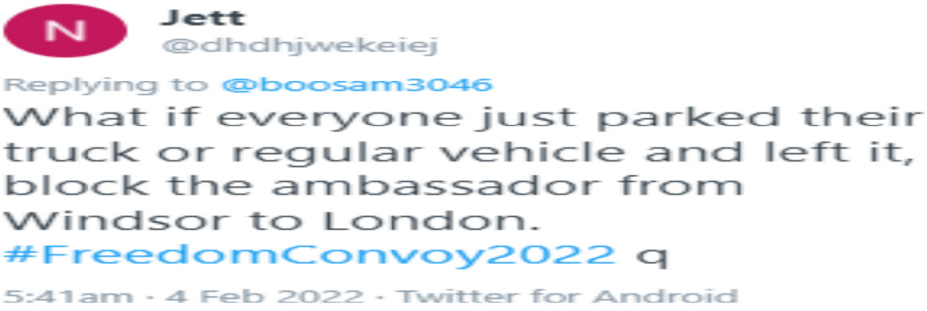
Duty Inspector/CIC

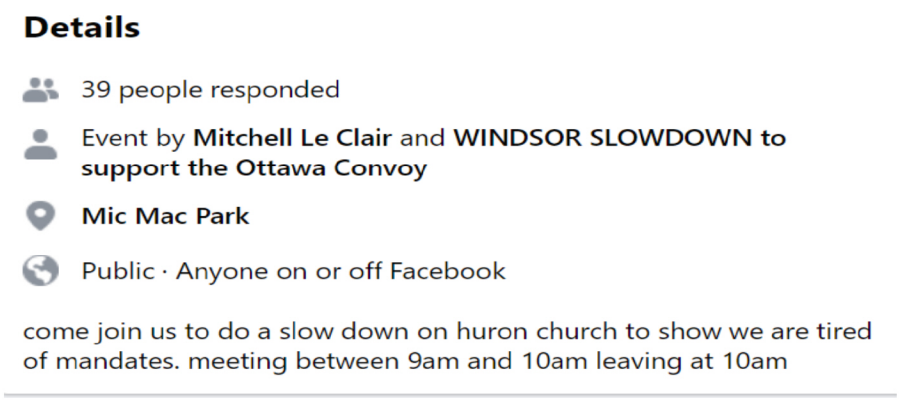
January 31-February 6, 2022- Inspector Ed Armstrong
February 7- February 13, 2022- Inspector Karel Degraaf

OPP Local Contact

Staff Sergeant Brad Sakalo. Cell 226-787-1405
bradley.sakalo@opp.ca

Social Media Posts





ADMINISTRATION

Traffic Enforcement Unit Sgt. Evans, PC Wemyss, PC Ferrari

Patrol Response

Saturday February 5th

- Patrol – Sgt. Cipolla, P.C. Halle, P.C. Bennett and P.C. Lapierre-Layne
- POP – P.C. Young, P.C. Deneau, P.C. Rettig, and P.C. Soufane

Sunday February 6th

- Patrol – Sgt. Cipolla, P.C. Halle, P.C. Lapierre-Layne and P.C. Salinitri
- POP – Sgt. Ashton, P.C. Deneau, P.C. Rettig and P.C. Soufane

Emergency Services Unit

- Sgt. Macdougall plus 8 ESU operators on standby working 1700-0300

COMMUNICATIONS

At this time there in no dedicated dispatcher assigned to monitor this event. If the need arises this can be re-assessed. E-911 Laura Smith is aware this might be required and has communicated the same to her Supervisors. Officers can maintain using P-West for dispatch or Events Channel to communicate amongst one another.

CIC Inspector Ed Armstrong	519-982-3152
Patrol Response Staff Sergeant Joe Faddoul	519-255-6700 Ext. 4231
OPP Brad Sakalo	226-787-1405
CIU Staff Sergeant Scott Chapman	519-982-4018
CIU Sergeant Jack McMahon	519-982-2662

Traffic Sergeant Morgan Evans	226-348-1835
Patrol Response Sergeant Cipolla	226-348-1870
ESU Sergeant MacDougall	226-345-4068
Windsor RCMP Inset CPL. Nader Chafchak	226-280-1308
Windsor Fire and Rescue EOC Emily Bertram	519-890-5081
E911 Supervisor Sandra MacKenzie	519-255-6700 Ext. 5250
RCMP Border Integrity Program Inspector Kevin McGoningal	519-280-1410
Corporate Communications PC Goze	519 564-6765
CBSA Joe McMahon	519-980-6882
CP Rail Police Anthony Kilburn	1-647-828-5311
Freedom Convoy Contact Person Mitchell Leclair	226-787-5993
CIC Inspector Karel Degraaf	519-300-5440

SUMMARY OF PROVINCIAL OFFENCES RE: TRAFFIC DISRUPTIONS:

The following is a summary of possible charges pertaining to disrupting traffic via slowdown, stoppage, or unsafe driving activity:

Careless Driving: S. 130 (1) HTA Every person is guilty of the offence of driving carelessly who drives a vehicle or street car on a highway without due care and attention or without reasonable consideration for other persons using the highway.

Unnecessary Slow Driving Prohibited: S. 132 (1) HTA No motor vehicle shall be driven on a highway at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic thereon except when the slow rate of speed is necessary for safe operation having regard to all the circumstances.

Direction of Traffic by Police Officer: S. 134(1) HTA Where a police officer considers it reasonably necessary (a) to ensure orderly movement of traffic; (b) to prevent injury or damage to persons or property; or (c) to permit proper action in an emergency, he or she may direct traffic according to his or her discretion, despite the provisions of this Part, and every person shall obey his or her directions.

U-turns Prohibited: S. 143 HTA No driver or operator of a vehicle upon a highway shall turn the vehicle so as to proceed in the opposite direction when, (a) upon a curve where traffic approaching the vehicle from either direction cannot be seen by the driver of the vehicle within a distance of 150 meters;(b) on a railway crossing or within 30 meters of a railway crossing;(c) upon an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 meters; or (d) within 150 meters of a bridge, viaduct or tunnel where the driver's view is obstructed within such distance.

Blocking Intersection: S. 145 (1) HTA The council of a municipality may by by-law prohibit a driver or street car operator approaching, at an intersection, a traffic control signal showing a circular green or green arrow indication from entering the intersection unless traffic in front of him or her is moving in a manner that would reasonably lead him or her to believe he or she can clear the intersection before the signal indication changes to a circular red indication.

Slow Vehicles to Travel on Right Side: S. 147 (1) HTA Any vehicle travelling upon a roadway at less than the normal speed of traffic at that time and place shall, where practicable, be driven in the right-hand lane then available for traffic or as close as practicable to the right hand curb or edge of the roadway.

Passing Meeting Vehicles: S. 148(1) HTA Every person in charge of a vehicle on a highway meeting another vehicle shall turn out to the right from the center of the roadway, allowing the other vehicle one-half of the roadway free.

Backing prohibited, speed limit over 80kph: S. 157 HTA No driver of a vehicle shall back the vehicle upon the roadway or shoulder of any highway divided by a median strip on which the speed limit is in excess of 80 kilometers per hour.

Parking on Roadway: S. 170 (1) HTA No person shall park, stand or stop a vehicle on a roadway, (a) when it is practicable to park, stand or stop the vehicle off the roadway; or (b) when it is not practicable to park, stand or stop the vehicle off the roadway unless a clear view of the vehicle and of the roadway for at least 125 meters beyond the vehicle may be obtained from a distance of at least 125 meters from the vehicle in each direction upon the highway.

Racing, Stunts, etc., Prohibited: S. 172(1) HTA No person shall drive a motor vehicle on a highway in a race or contest, while performing a stunt or on a bet or wager.

Regulating or Prohibiting Use of Highway by Pedestrians: S. 185 (1) HTA The Minister may make regulations prohibiting or regulating the use of any highway or part thereof by pedestrians or animals or any class or classes of vehicles. Removing pedestrians - (3) Where a pedestrian is on a highway in contravention of a regulation made or by-law passed under this section, a police officer may require the pedestrian to accompany him or her to the nearest intersecting highway on which pedestrians are not prohibited and the pedestrian shall comply with the request.

Prohibiting Commercial Vehicles in Left Lane: S. 186 (1) HTA The council of a municipality may by by-law prohibit the operation of, (a) a commercial motor vehicle other than a bus; or (b) any combination of a commercial motor vehicle and a towed vehicle, that exceeds 6.5 meters in length, in the left lane of any highway under its jurisdiction that has three or more lanes for traffic in each direction and on which the speed limit is 80 kilometers per hour or more.

Restricted Use of Left Lanes by Commercial Motor Vehicles: R.R.O. 1990, REGULATION 608 1. (1) Subject to subsection (2), no person shall operate a commercial motor vehicle or any combination of a commercial motor vehicle and a towed vehicle that exceeds 6.5 meters in length, except a bus, an ambulance or a fire apparatus, in the left lane or, where the left lane has been designated as a high occupancy vehicle lane, in the lane adjacent to the high occupancy vehicle lane of those portions of a highway described in the Schedules. R.R.O. 1990, Reg. 608, s. 1 (1); O. Reg. 619/05, s. 1 (1); O. Reg. 201/16, s. 1. (2) Subsection (1) does not apply to a commercial motor vehicle engaged in maintenance or construction or where an emergency requires the use of the lane by a commercial motor vehicle. R.R.O. 1990, Reg. 608, s. 1 (2); O. Reg. 619/05, s. 1 (2).

Use of Controlled-Access Highways by Pedestrians R.R.O. 1990, REGULATION 627 1. (1) Subject to subsection (2), pedestrians are prohibited from using those parts of the controlled-access highways described in Schedule 1. O. Reg. 255/04, s. 1 (1)
(2) Subsection (1) does not apply to pedestrians, (a) engaged in police, highway maintenance, highway construction or vehicle inspection duties; (b) within commuter parking lots established and maintained by the Ministry or proceeding directly between such lots and adjacent intersecting highways; (c) within truck inspection stations or pulp load check areas established and maintained by the Ministry; (d) making use of a controlled-access highway where the use is necessary because of an emergency; or (e) crossing at a traffic control signal or a crosswalk. 2. Where a highway is referred to in a schedule by a number or name, the reference is to that part of the King's Highway or to the private toll highway that is known thereby.

PUBLIC ORDER SUMMARY OF CRIMINAL CODE OFFENCES

The following are summaries of applicable sections of the Criminal Code of Canada. The Criminal Code should be referred to for the actual section.

The crowd/individuals must be advised that they cannot go beyond a certain point as identified by the officer and to do so, constitutes a criminal offence of Obstructing a Peace Officer and that they will be arrested. Once they make a physical attempt to breach or circumvent the line, the offence has been met and they can be processed accordingly.

In order to process in court however, members would be expected to provide the evidence of the caution prior to the offence and the evidence of the physical breach or attempt to breach the line.

Offences relating to Resisting or Obstructing Public or Peace Officer - Section 129:
Everyone who resists or willfully obstructs a public or peace officer engaged in the execution of his duty or anyone acting in their aid is guilty of a dual offence.

Protection of Persons Administering and Enforcing the Law - Section 25: Everyone required or authorized by law to do anything in the administration or enforcement of the law, is if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.
Excessive Force - Section 26: Everyone who is required by law to use force is criminally responsible for any excess.

Use of Force to Prevent Commission of Offence - Section 27: Everyone is justified in using as much force as is reasonably necessary to prevent the commission of an offence.

Arrest for Breach of the Peace - Section 31: Every Peace Officer who witnesses a breach of the peace is justified in arresting any person whom he finds committing the breach or on reasonable grounds, he believes is about to join in or renew the breach of the peace.

Use of Force to Suppress Riot - Section 32: Every peace officer is justified in using or in ordering the use of, as much force as the peace officer believes, in good faith and on reasonable grounds, is necessary to suppress a riot.

Duty of Officers if Rioters do not disperse - Section 33: Where the proclamation referred to in section 67 has been read or an offence against paragraph 68 has been committed, it is the duty of a peace officer and of a person lawfully required to assist him, to disperse or to arrest persons who do not comply with the proclamation.

Unlawful Assembly - Section 63: An unlawful assembly consists of three or more persons who, with intent to carry out any common purpose, assemble as to cause persons in the area to fear on reasonable grounds that they will disturb or cause others to disturb the peace tumultuously.

Riot - Section 64: A riot is an unlawful assembly that has begun to disturb the peace tumultuously.

Punishment of Rioter - Section 65: Everyone who takes part in a riot is guilty of an indictable offence.

Punishment for Unlawful Assembly - Section 66: Everyone who is a member of an unlawful assembly is guilty of a summary offence.

Reading Proclamation - Section 67: A person who is a Justice, Mayor or Sheriff, or the lawful deputy of a Mayor or Sheriff receives notice within their jurisdiction that twelve or more persons are unlawfully and riotously assembled together shall go to that place and from a place of safety read the Proclamation in a loud voice.

Offences Related to Proclamation - Section 68: Everyone is guilty of an indictable offence and liable to imprisonment for life who: opposes, hinders, or assaults the person reading or is about to read the proclamation, or does not peaceably disperse and depart the area within 30 minutes after the proclamation is made.

Causing Disturbance - Section 175: Everyone who causes a disturbance in or near a public place by: fighting, screaming, shouting, swearing, singing or using insulting or obscene language, by being drunk or by impeding or molesting others persons is guilty of a summary conviction offence.

Assaulting a Peace Officer - Section 270: Everyone commits an offence who assaults a public or peace officer engaged in the lawful execution of his duty or a person acting in the aid of an officer. Or a person with intent to resist arrest or prevents the lawful arrest or detention of himself or another person.

Intimidation - Section 423(1) (g): Everyone commits intimidation where a person intending to compel someone to abstain from doing something he has a right to do; wrongfully and without authority uses violence or threats of violence; or blocks a highway

Mischief - Section 430: Everyone commits mischief, who willfully destroys or damages property; renders property dangerous or useless; obstructs interrupts or interferes with the lawful use and enjoyment of property.

Arson - Section 433: Every person who intentionally or recklessly causes damage by fire or explosion to property whether or not if he owns it or not is guilty of an indictable offence and liable to life imprisonment.

Disobeying Order of Court - Section: 127(1): Everyone who, without lawful excuse, disobeys a lawful order made by a court of justice or by a person or body of persons authorized by any Act to make or give the order, other than an order for the payment of money, is, unless a punishment or other mode of proceeding is expressly provided by law, guilty of:

(a) an indictable offence and liable to imprisonment for a term not exceeding two years; or
b) an offence punishable on summary conviction

Arrest Authorities

Section 495 of the Criminal Code of Canada:

Arrest without warrant by Peace officer
495. (1) A Peace officer may arrest without warrant
(a) a person who has committed an indictable offence or who, on reasonable grounds, he believes has committed or is about to commit and indictable offence;
(b) a person whom he finds committing a criminal offence; or
(c) a person in respect of whom he has reasonable grounds to believe that a warrant of arrest or committal, in any form set out in Part XXVIII in relation thereto, is in force within the territorial jurisdiction in which the person is found.

Emergency Management & Civil Protection Act

The COVID-19 Enforcement Support Line has been established at **1-866-389-7638**. Assistance is available daily from 0800-2100hrs. This toll-free line is available to provide support to policing personnel regarding the enforcement of emergency orders under the EMCPA.

Failing to correctly identify oneself could be considered any of the following:
Section 7.0.11(1)(a)
1. Fail to comply with an order made during a declared emergency
• Set Fine: $750.00
2. Obstruct any person exercising a power in accordance with an order made during a declared emergency

• Set Fine: $1,000.00
3. Obstruct any person performing a duty in accordance with an order made during a declared emergency
• Set Fine: $1,000.00